

State of Minnesota**District Court**

_____ County

Judicial District:	_____
Court File Number:	_____
Case Type:	Adoption – Stepparent

In the Matter of the Petition of:

_____, Petitioner/Parent

and

_____, Petitioner/Stepparent

To Adopt:_____,
(child's current name)_____,
(child's current name)_____,
(child's current name)**COMMUNICATION AND
CONTACT AGREEMENT
AND ORDER**

1. This agreement is made between _____ *[non-petitioning parent's name]*, the birth parent who is consenting to the adoption of the child named _____ *[child's name]*, a _____ *[male/female]* child born on _____ *[date of birth]*, and the adoptive parents named _____ *[Petitioner/Wife]* and _____ *[Petitioner/Husband]*.
2. This agreement is made pursuant to Minnesota Statutes § 259.58, which allows adoptive parents and birth relatives to make legally enforceable their agreement to have contact with one another after the adoption is finalized.
3. We understand that the law views adoption as the irrevocable severance of all parental rights of the birth parent with respect to the adopted child. We understand that legally adopted children are the children of the adoptive parents as if born to them. All parties to this agreement are committed to a relationship that is in the child's best interest now and in the future.
4. We understand that Minnesota Statutes § 259.58 allows a communication or contact agreement to be part of the written order finalizing an adoption. We also understand that failure to comply with the communication or contact agreement will never be a reason for a court to rescind the adoption. We understand that any differences about this agreement, or any changes needed because of new circumstances, will have to be settled directly by the parties or resolved in family court.
5. **WHEREAS** _____ *[name of petitioning mother]* is the birth mother and _____ *[name of non-petitioner father]* is the birth father of the child named _____ *[child's name]* born on _____ *[date of birth]*; and

6. **WHEREAS** the minor child has been in the home of the Petitioners (parent and stepparent) since _____ [*date child began living with adoptive parents*]; and
7. **WHEREAS** the adoptive parents (parent and stepparent) plan to adopt the child as soon as possible; and
8. **WHEREAS** the non-petitioning birth parent wishes to continue to have contact with the adoptive parents and the child after the adoption is finalized; and
9. **WHEREAS** all parties agree that such contact is in the best interests of the minor child;
10. **NOW THEREFORE**, the parties agree as follows:
- a. **Current Contact Information:** Until the minor child reaches the age of 18, the parties shall provide current addresses and phone numbers to each other and shall update this information as it changes. Current contact information is as follows:

Name	Address	Phone Number
Birth mother		
Birth father		
Adoptive mother		
Adoptive father		

- b. **Photographs and Letters for Birth Parents:** The adoptive parents agree to provide the birth parents with letters and photos when the child is ages _____. After the child reaches age _____, the adoptive parents agree to provide photos and letters _____ times each year until the child reaches age _____. After the child reaches age _____, the adoptive parents agree to provide photos and letters _____ times each year until the child reaches age _____. They will include a collection of snapshots from throughout the year and posed portraits, such as school photos. The photos will include some of the child with family and other people in the child's life, and some of the child alone.
- c. **Photographs and Letters for the Child:** The birth parents agree to provide letters and photographs of the parent to the adoptive parents for the child. The birth parents would also like to reserve the right to provide the adoptive parents with occasional gifts for the child.
- d. **Face-to-Face Meetings Between Parents:** The birth parents and the adoptive parents want to have ongoing visitation with each other. The visitation will take place at a mutually agreed upon location. The parties agree to visit _____ times during the next _____ [period of time]. Visitation will continue until the point at which it becomes confusing for the child or uncomfortable for the parties.

- e. **Future Face-to-Face Contact With Child:** The adoptive parents agree to arrange for the child to meet his/her birth parents at an appropriate age and time, if the child so desires. The birth parents and adoptive parents are open to discussing visitation between the birth parent and child.
- f. **Notification of Death or Serious Illness to Birth Parents:** The adoptive parents agree to notify the birth parents of the death or serious illness of either of them or the child as soon as it is reasonably possible to do so.
- g. **Notification of Death or Serious Illness to Adoptive Parents:** The birth parents agree to notify the birth parent of the death or serious illness of as soon as it is reasonably possible to do so.

11. The above terms and conditions of communication and contact constitute the entire agreement between the parties concerning the birth parent's rights to communicate or contact after the adoption is finalized.

Dated: _____

[Signature of birth parent – sign only in front of notary public]

Parent *[name of non-petitioning birth parent]*

Dated: _____

[Signature of birth parent – sign only in front of notary public]

Parent *[name of petitioning birth parent]*

Dated: _____

[Signature of adoptive parent – sign only in front of notary public]

Parent *[name of stepparent]*

On this _____ day of _____, _____,
before me personally appeared the persons described
herein who executed the foregoing communication
and contact agreement.

Notary Public

FINDINGS

Based upon the above representations and agreements of the parties, this Court finds that the terms of the communication and contact agreement set forth above are in the best interest of _____ *[child's name]*, the minor child who is the subject of this adoption proceeding.

ORDER

1. The Court hereby enters the terms of the above agreement as its order for ongoing communication and contact between the parties and the child.
2. Disputes about or enforcement of this Communication and Contact Agreement Order shall be brought in Family Court

Dated: _____

Judge of District Court